

Attorney Docket No.: 02CON377P
Serial No.: 09/627,375

List of Claims:

1. (currently amended) A flexible variable rate vocoder for use in a network to process signals, the vocoder having a plurality of output rates, the vocoder comprising:

a rate determination module configured to select a target average data rate based on at least one network parameter and at least one external parameter, wherein one of the at least one network parameter is indicative of an available network capacity, ~~and one of the at least one external parameter is indicative of the subject matter of the signals;~~ and

a rate implementation module configured to select between the plurality of output rates for coding outgoing frames of the signals to achieve an average output rate for the outgoing frames, as determined over a predetermined time period, wherein the average output rate is approximately equal to the target average data rate;

wherein the plurality of service classes comprise a premium class, a standard class and an economy class, and wherein the network has a plurality of users, each user of the plurality of users having a desired service class from the plurality of service classes, and wherein if the network cannot accommodate a service demand by one of the plurality of users, the target average data rates associated with the standard class and the economy class are reduced to accommodate the service demand and the target average data rate associated with the premium class is maintained, and wherein the service demand is determined based on at the desired service class of the one user ~~and the subject matter of the signals.~~

2. (previously presented) The vocoder of claim 1, wherein the plurality of output rates include a full rate, a half rate, a quarter rate, and a eighth rate.

Attorney Docket No.: 02CON377P
Serial No.: 09/627,375

3. (currently amended) The vocoder of claim 1, wherein ~~another~~ one of the at least one external parameter is indicative of one of a plurality of service classes.

Claims 4-6 (cancelled)

7. (previously presented) The vocoder of claim 2, wherein the rate implementation module comprises a switch, a full rate module, a half rate module, a quarter rate module, an eighth rate module, and a multiplexor, and wherein the switch selects between the modules for coding each of the outgoing frames, and the multiplexor receives the outgoing frames from each of the modules and serially outputs the outgoing frames on a single line.

Claims 8-11 (cancelled)

28. (currently amended) A method for use by a flexible variable rate vocoder in a network to process signals, the vocoder having a plurality of output rates, the method comprising:

selecting a target average data rate based on at least one network parameter and at least one external parameter, wherein the at least one network parameter is indicative of an available network capacity, ~~and the at least one external parameter is indicative of the subject matter of the signals;~~ and

selecting between the plurality of output rates for coding outgoing frames of the signals to achieve an average output rate for the outgoing frames, as determined over a predetermined time period, wherein the average output rate is approximately equal to the target average data rate;

wherein the plurality of service classes comprise a premium class, a standard class and an economy class; and wherein the network has a plurality of users, each user of the plurality of users having a desired service class from the plurality of service classes, and wherein the method

Attorney Docket No.: 02CON377P
Serial No.: 09/627.375

further comprising: determining that the network cannot accommodate a service demand by one of the plurality of users; ~~and~~ reducing the target average data rates associated with the standard class and the economy class to accommodate the service demand; and maintaining the target average data rate associated with the premium class, wherein the service demand is determined based on at the desired service class of the one user ~~and the subject matter of the signals~~.

29. (previously presented) The method of claim 28, wherein the plurality of output rates include a full rate, a half rate, a quarter rate, and a eighth rate.

30. (currently amended) The method of claim 28, wherein ~~another~~ one of the at least one external parameter is indicative of one of a plurality of service classes.

Claims 31-37 (cancelled)

38. (new) The vocoder of claim 1, wherein relative percentages of the plurality of output rates are adjusted to achieve the average output rate that is approximately equal to the target average data rate.

39. (new) The method of claim 28 further comprising: adjusting wherein relative percentages of the plurality of output rates to achieve the average output rate that is approximately equal to the target average data rate.